

## **REMARKS**

### **Status of the Claims**

Claims 1-22, 23-26, and 28-31 are pending in the present application. Claims 1-22 are withdrawn as being directed towards a non-elected invention. Claims 27 and 32 are cancelled. Claim 23 is amended to specify that the interior surface of said microwells is coated with a fluorocarbon film. Support for this amendment is found in the application as originally filed including, e.g., claim 27, now canceled. Claim 31 is amended to specify wherein said hydrophobic region has a silicon surface or fluorine surface. Support for amended claim 31 is found, e.g., in claim 32, now canceled. Claim 28 is amended to depend on a pending claim. The claims are amended without prejudice or disclaimer. No new matter is added by way of this amendment. Reconsideration is respectfully requested.

### **Objection to the Abstract**

The abstract is objected to because it exceeds 150 words and includes the term "said." The abstract is amended to remove legal phraseology and to limit the number of words. Accordingly, withdrawal of the objection is respectfully requested.

### **Issues Under 35 U.S.C. § 102(b)**

Claims 23-24 and 26-32 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Publication No. 2002/0072116 to Bhatia *et al.*, ("Bhatia"), *see Office Action*, pages 3-4. Specifically, the Examiner alleges that Bhatia discloses all of the elements of independent claims 23 and 31. The Examiner further states that paragraph of [0026] of Bhatia describes oxidation of the silicon pore surface, which is interpreted as a film, *see Office Action*, page 4. In addition, the Examiner states that Bhatia discloses that the top of substrate is made of silicon, *see Office Action*, page 4. Applicants respectfully traverse.

Claim 32 is canceled. Accordingly, the rejection is moot in regard to this claim.

In an effort to expedite prosecution, independent claim 23 is amended to specify a microwell array chip made of silicon and having multiple microwells, each microwell being used to store a single specimen organic cell, wherein each microwell is of a size and shape holding

just one organic cell, wherein the interior surface of said microwells is coated with a fluorocarbon film.

Independent claim 31 is also amended in an effort to expedite prosecution. As amended, independent claim 31 is directed to a microwell array chip having a microwell on a principal surface of a substrate, wherein a hydrophobic surface region is provided in a manner surrounding said microwell on said principal surface, wherein said hydrophobic region has a fluorine surface.

Applicants submit that Bhatia does not describe that the interior surface of the microwells is coated with a fluorocarbon film as specified in independent claim 23. Applicants further submit that Bhatia does not describe a hydrophobic region that has a fluorine surface, as specified in independent claim 31.

Accordingly, independent claims 23 and 31 are not anticipated by Bhatia. Dependent claims 24 and 26-30, which incorporate all of the elements of independent claim 23, are also not anticipated by Bhatia. In view of the foregoing, Applicants believe the rejection is overcome and respectfully request withdrawal.

#### **Issues Under 35 U.S.C. § 103(a)**

Claim 25 is rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of Bhatia. The Examiner states that Bhatia teaches all of the elements described in claim 25, except for the depth of the microwells. However, according to the Examiner, an ordinary artisan at the time of the invention would have recognized that the well depth can be modified to accommodate a particular cell type. Accordingly, the Examiner believes that well depth is a variable that is obvious to adjust.

As noted above, independent claim 23 is amended to specify that the interior surface of the microwells is coated with a fluorocarbon film. Also as noted above, this element is not disclosed or suggested in Bhatia. Accordingly, claim 25 is not obvious in view of Bhatia since claim 25 incorporates the fluorocarbon film element of independent claim 23.

In view of the above, claim 25 is not rendered obvious in view of Bhatia. Accordingly, Applicants request withdrawal of the rejection.

### CONCLUSION

In view of the above, Applicants believe that the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Linda T. Parker, Reg. No. 46,046, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By

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Enclosure: Appendix with abstract